

### REMARKS

The Examiner is thanked for the careful examination of the application, and for the suggestions for amending the application. The application has been amended as recommended by the Examiner. Accordingly, Applicants submit that, for the reasons set forth below, the application should now be in condition for allowance.

#### Objections:

Claim 4 has been amended to correct the dependency thereof, as suggested by the Examiner. Accordingly, the objection should not be rendered moot.

#### Art Rejections:

Claims 1, 4, 9 and 16-19 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,113,520, hereinafter *Hirata*. In paragraph 3 on pages 2 and 3 of the Official Action, the Examiner suggests that the claims be amended to clarify that the newly input image data is input after the discarding of image data from the first memory.

With regard to the claimed step of the output control unit which causes the output unit to output image data newly input from the image input unit under the maintained image forming conditions, the Examiner relies upon column 4, lines 37-57 of *Hirata*. However, as implicitly acknowledged by the Examiner in the last Office Action, that portion of *Hirata* does not teach or suggest an output control unit that causes the output unit to output image data newly input from the image input unit under the maintained image forming conditions, particularly if the image data newly input from the image input unit is input after the discarding of image data from the first memory. Specifically, there is no teaching or suggestion in that portion of *Hirata*

as to how the *Hirata* device would process image data that is newly input from the image input unit, and more specifically, as to whether such newly input image data would be processed under any such maintained image forming conditions.

Accordingly, Applicants submit that *Hirata* does not teach or suggest the combination of now amended claim 1 that includes, among other elements, an output control unit for causing the output unit to output image data newly input from the image input unit after the discarding of image data from the first memory under the maintained image forming conditions.

At the suggestion of the Examiner, similar amendments have also been made to the remaining independent claims 10, 16, and 19. Accordingly, Applicants submit that each of the independent claims 1, 10, 16 and 19 are patentable over the applied prior art for the reasons set forth above as well as for the position set forth by the Examiner in the Official Action dated May 17, 2004.

In addition, the dependent claims are patentable over the applied prior art at least for the reasons set forth above with respect to the independent claims.

Accordingly, in view of the foregoing amendments and remarks, Applicants submit that the present application should now be in condition for allowance.

In the event that there are any questions concerning this response, or the application in general, the Examiner is respectfully urged to telephone the undersigned attorney so that prosecution of the application may be expedited.

Respectfully submitted,

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